

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

UNITED STATES OF AMERICA	)	
	)	
v.	)	No. 2:14-CR-036
	)	
BRIAN O'NEAL BECO	)	

**MEMORANDUM AND ORDER**

Now before the court is the defendant's August 7, 2014 motion to continue. [Doc. 27]. Therein, the defendant asks for a continuance of trial and a resetting of "the Motion deadline, the Pretrial Conference/Motion, and the Plea Agreement deadline." Counsel for the United States has advised the court that he does not oppose a continuance.

Defense counsel states that pretrial negotiations are ongoing and that he will need additional time to prepare for trial should those negotiations prove unsuccessful. To the extent that the defendant asks for a continuance of his trial date and plea deadline, the court finds the motion well-taken and it will be granted. The court finds that the ends of justice served by granting the motion outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). In light of the reasoning set forth by the defendant, the court finds that the failure to grant the motion would deny the defense reasonable time necessary for effective preparation. 18 U.S.C. § 3161(h)(7)(B)(iv). The motion requires a delay in the

proceedings. Therefore, all the time from the filing of the motion to the new trial date is excludable as provided by the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A).

The defendant's motion to continue [doc. 27] is **GRANTED IN PART** and **DENIED IN PART**. To the extent that the defendant seeks a resetting of his trial date and plea deadline, the motion is **GRANTED**. This criminal case is **CONTINUED** from August 20, 2014, to **Wednesday, November 5, 2014, at 9:00 a.m.** in Greeneville. The new plea cutoff date is October 22, 2014.

To the extent that the defendant also asks for a resetting of the motion deadline, his request is **DENIED**. That deadline expired on June 12, 2014. No further motions shall be filed in this case absent a showing of good cause why the movant was unable to comply with the long-expired June 12 deadline.

**IT IS SO ORDERED.**

ENTER:

s/ Leon Jordan  
United States District Judge